

### REMARKS

Claims 16-40 currently remain in the application. Claims 16 and 27 have been amended.

The applicant thanks the Examiner and his supervisor for the personal interview on March 16, 2004. In the interview, the present invention, as compared to the prior art cited by Examiner were discussed.

#### *Rejections under 35 U.S.C. § 103(a)*

Claims 16-40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Montgomery (6, 564, 995) in view of Acres, et al. (5, 752, 882). The rejection is respectfully traversed.

The present invention, as described in claim 16 provides, "a master gaming controller designed or configured to control a game of chance played on the gaming machine by executing game code that uses gaming instructions generated by a processor on the smart card wherein the gaming instructions generated by the processor include commands and/or data compatible with the game code executed by the master gaming controller, said master gaming controller including a first memory for storing the gaming instructions received from the smart card, a first processor, separate from the processor on the smart card, for executing the game code and a communication interface for allowing communications with the smart card and receiving the gaming instructions from the smart card; the smart card operable to execute one more gaming applications to generate the gaming instructions, said smart card including : the processor for executing the gaming applications, an input/output interface for allowing communications with the master gaming controller and a second memory for storing the gaming applications executed by the processor"

In FIGs. 7 and 8, Montgomery describes a smart card 70, a smart card interface and a terminal 82. As admitted by the Examiner, Montgomery does not teach a gaming machine having master gaming controller that generate game of chance on the gaming machine. Although, as noted in Col. 1 and in the interview cited above, Montgomery states that terminals, such as electronic casinos, are known which employ one or more smart card interfaces to connect the smart card to the terminal. In Montgomery, Applicant does not believe what is meant by an electronic casino and how a smart card is used in an electronic casino are clearly described. Acres does not describe smart cards or smart card readers in the manner described in the present invention. Acres states that the preferred embodiment of the card reader is an optical card reader (Optical storage cards have a stripe that is writeable and readable with a laser and can store about

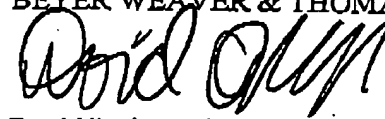
5 megabytes of data and do not include an integrated circuit like a smart card. The optical cards have a greater storage capacity as compared to a magnetic striped card.) However, Acre's does say the lighted bezel can be used in conjunction with any form of card reader such as a magnetic card reader, a bar code reader, etc. (Col.15, 30-36). Acres does describe gaming machines.

The present invention describes a master gaming controller designed or configured to control a game of chance played on the gaming machine by executing game code that uses gaming instructions generated by a processor on the smart card where the gaming instructions generated by the processor include commands and/or data compatible with the game code executed by the master gaming controller. The combination of Montgomery and Acres does not describe a master gaming controller and a relationship between a smart card and a master gaming controller with these limitations. In Montgomery, a master gaming controller that controls a game of chance on a gaming machine is not described. Acres is silent in regards to functions of a smart card and their uses as described in the manner of the present invention. In particular, Acres does not describe a master gaming controller designed or configured to control a game of chance played on the gaming machine by executing game code that uses gaming instructions generated by a processor on the smart card. Since neither reference describes this limitation, for at least these reasons, the combination of Montgomery and Acres can't be said to teach all of the limitations of the remaining claims 16-40.

In addition, to establish obviousness there must be a motivation for the combination suggested from the references or from inherent knowledge in the art. Examiner states, "it would have been obvious to a person of ordinary skill of the art at the time of the invention was made to use Montgomery's smart card in a gaming system utilizing smart card of Acre's et al. as enhancement to gaming features, i.e., providing state of the art features or personalizing game features to players that would attract them to games and thus be profitable." Examiner does not point to a place in the references where this motivation is taught. Applicant respectfully requests the Examiner to provide a teaching of this motivation from the references or if the Examiner is relying on inherent knowledge an additional reference that teaches the motivation for the combination suggested by the Examiner.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
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